

MARLBORO COUNTY COUNCIL

MARLBORO COUNTY CONFERENCE ROOM

THURSDAY, MARCH 8, 2007

6 PM

CHAIRMAN JEAN WALLACE MCLEAN

VICE-CHAIR MICKEY ROGERS

ADMINISTRATOR CECIL KIMREY

COUNTY ATTORNEY DONNIE MCDONALD

COUNCIL:

JEAN MCLEAN,		JEFF QUICK,	
MICKEY ROGERS,	X	CORRIE H. PLATO,	X
DR. CAROLYN PRINCE,		KEN ALLEN,	
STEVE BLACKMON, AND		ANTHONY WOODS	

* ABSENT

INVOCATION – Ms. Jean Wallace McLean, Chair

APPROVAL OF MINUTES – FEBRUARY 8, 2007 & FEBRUARY 22, 2007.

FEBRUARY 8, 2007

Motion made by Dr. Carolyn Prince, seconded by Mr. Jeff Quick to approve the minutes of February 8, 2007. Vote in favor. Unanimous. Motion Carried.

FEBRUARY 22, 2007

CORRECTION:

Dr. Carolyn Prince wanted to clarify the minutes of February 22, 2007. On page two from the report of the audit from the representative that was here – she wished to clarify the representative did not really present the \$669,000 as a deficit. She stated he tried to explain it away in two other places one of \$200,000+ and the other \$400,000+, even though it was a

deficit. Dr. Prince advised she wanted the minutes worded this way to reflect what he presented to Council and not the end result of. This way the minutes would show that he didn't say it was a deficit, but it really was.

After review of the Council presentation tape of February 22nd by Clerk to Council and Chair to Council, it was noted that the representative from Hill & Jordan, LLC did advise the County has a deficit of \$669,000 in the general funds, not the fund balance of the general funds – the minutes were corrected to show this. The minutes were also changed to reflect more clarification to the audit presentation. Mr. Jordan also stated that though Marlboro County incurred a significant deficit, it certainly was not as great as anticipated.

At the conclusion of his report, Mr. Jordan asked if Council had any questions. Dr. Carolyn Prince advised Mr. Jordan that she was not clear on his statement of where the funds come from to offset the fund balance decrease when it is only \$20,000. Mr. Jordan advised Council to flip to page 16, where he pointed out the columns for General Funds, Special Railroad Funds, Special Projects Funds, and Major Non-governmental Funds. He advised Council to look several rows down at the net changes in fund balances – deficit or amount in brackets of \$669,535 – look to the right side of it at the Special Revenue Fund which has a surplus of \$496,000. Dr. Prince questioned if this was the offset of the fund balance decrease. Mr. Jordan responded that it was the total complete fund balance of the County. He advised he was not saying it offset the deficit that run in the General Fund, he was saying you show these in comparison and come to a total of all governmental funds. The total governmental funds experienced a decrease of \$20,000, where last year it was \$20,000.

Motion made by Mr. Jeff Quick, seconded by Dr. Carolyn Prince, approving the minutes of February 22, 2007. Vote in favor. Unanimous. Motion Carried.

PUBLIC HEARING

ORDINANCE # 618 – TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING FOUR MILLION DOLLARS (4,000,000) GENERAL OBLIGATION BONDS OF MARLBORO COUNTY, SOUTH CAROLINA, TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED, TO PROVIDE FOR THE PAYMENT THEREOF, AND OTHER MATTERS RELATING THERETO

No discussion was heard. The Public Hearing was closed.

OLD BUSINESS

ORDINANCE # 618 – TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING FOUR MILLION DOLLARS (4,000,000) GENERAL OBLIGATION BONDS OF MARLBORO COUNTY, SOUTH CAROLINA, TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED, TO PROVIDE FOR THE PAYMENT THEREOF, AND OTHER MATTERS RELATING THERETO – THIRD READING

Mr. Ben Ziegler, Marlboro County's Bond Counselor with Haynsworth Sinkler Boyd briefed Council on the General Obligation Bond. He advised the General Obligation bonds are paid by property taxes levied by the County. Mr. Ziegler briefly discussed the terms of the bond, stating that limited authority is delegated to the Council Chair. Marlboro County has approximately 5.1 Million (8%) in General Obligation debt limit. S.C. constitution provides that a political subdivision of S.C. without holding a referendum can only have up to eight percent (8%) of its assessed value which is currently 5.1 Million. He advised Council that Marlboro County currently has one more payment for an outstanding general obligation bond which is payable this year. He stated that legally and technically Marlboro County does not have any outstanding bonds since taxes have already been collected for the final payment.

Mr. Ziegler advised the bond includes several projects which include: the new library, Sheriff's building, Administration Building, and D.D. McColl.

He advised that by State law the bond must be sold at a Public Sale and advertised in a publication statewide. They must be awarded to the lowest bidder. The bond ordinance included blank documents which are not part of the ordinance but, will be used. A maturity schedule was distributed to Council showing fifteen years and twenty years. He said the primary difference being the longer the bond is outstanding, the more interest county will pay. With the fifteen year maturity Marlboro County's debt service will be approximately \$320,000 to \$360,000, while with the twenty year maturity being more along the range of \$260,000 - \$300,000. Millage impact was also shown on the schedules. The rates will fluctuate depending on the market.

When questioned about the millage, Mr. Ziegler said the county currently has 5 mills in the budget which will go away. He advised it will basically be a replacement in millage which could possibly be anywhere around 5 mills, depending on the market.

After general discussion of how the bond can be used and if it needed to be amended before the final reading, Mr. Ziegler advised the bond must be used for the purposes as outlined in the bond Ordinance. It was noted that the Courthouse will need some renovations and it is not included in the bond. Mr. Ziegler advised if County wanted to use the money for any projects other than those listed in the ordinance, the ordinance would have to be amended. He also recommended adopting the Ordinance as is and amending it after sixty (60) days if Council chooses. Mr. Ziegler advised that under state law when an ordinance is adopted provided for the issuance of general obligation bonds there is a waiting period of sixty days in which a bond can be challenged. After the sixty days the bond can be issued. Mr. Ziegler stated that he would not recommend amending the ordinance at the third reading, particularly after a public hearing. He recommended waiting until after the sixty day waiting period.

Motion made by Mr. Ken Allen, seconded by Mr. Anthony Woods, to approve the third reading of Ordinance # 618 – To provide for the issuance and sale of not exceeding four million dollars (\$4,000,000) general obligation bonds of Marlboro County, South Carolina, to prescribe the purposes for which the proceeds shall be

expended, to provide for the payment thereof, and other matters relating thereto. Vote in favor. Unanimous. Motion Carried.

ORDINANCE # 619 – AN ORDINANCE AUTHORIZING MARLBORO COUNTY TO CONTINUE AN AGREEMENT WITH THE MARLBORO COUNTY RESCUE SQUAD PROVIDING PARAMEDIC LEVEL EMERGENCY SERVICE AND TRANSFER SERVICE THROUGHOUT MARLBORO COUNTY – THIRD READING

Various discussion was held concerning the agreement with Marlboro Rescue. It was noted that the other squads such as Clio and Wallace are paid out of the funds we pay Marlboro Rescue. Council also advised the terms of the agreement pertaining to the annual audit of Marlboro Rescue was mandatory. Council requested that the County Administrator contact Mr. Jeff Boan, Captain and discuss the terms of the agreement with him and report back to them.

Motion made by Dr. Carolyn Prince, seconded by Mr. Steve Blackmon, to approve the third reading of Ordinance # 619 – An Ordinance authorizing Marlboro County to continue an agreement with the Marlboro County Rescue Squad providing paramedic level emergency service and transfer service throughout Marlboro County. Vote in favor. Unanimous. Motion Carried.

NEW BUSINESS

ORINDNACE # 620 AN ORDINANCE – AN ORDINANCE SETTING A FRANCHISE FEE RATE FOR CABLE SERVICE PROVIDERS UPON EXPIRATION OR TERMINATION OF AN EXISTING FRANCHISE FOR CABLE SERVICE – FIRST READING

Mr. Cecil Kimrey, County Administrator discussed briefly advising the Consultant for the Association of Counties recommended the proposed Cable Franchise Ordinance.

Motion made by Mr. Anthony Woods, seconded by Mr. Ken Allen, approving the first reading of Ordinance # 620 – An Ordinance setting a franchise fee rate for cable service providers upon expiration or termination of an existing franchise for cable service. Vote in favor. Unanimous. Motion Carried.

RESOLUTION # 03-07-01 – A RESOLUTION ACCEPTING THE STATE OF SOUTH CAROLINA’S COMPETITIVE GRANT IN THE AMOUNT OF \$25,000 AND AUTHORIZING THE ACQUISITION OF LAND FOR WALLACE RECREATIONAL PARK LAND.

Ms. Jean Wallace McLean, Chair advised the grant funds are for a little over seven (7) acres of land located in the Wallace area.

Motion made by Mr. Jeff Quick, seconded by Dr. Carolyn Prince, approving Resolution # 03-07-01 – A Resolution accepting the State of South Carolina’s

Competitive Grant in the amount of \$25,000 and authorizing the acquisition of land for Wallace Recreational Park land. Vote in favor. Unanimous. Motion Carried.

RESOLUTION # 03-07-02 – AMENDMENT OF RESOLUTION # 00-15-6 FOR MARLBORO COUNTY’S TRAVEL REIMBURSEMENT POLICY.

Mr. Cecil Kimrey, County Administrator advised Marlboro County needed to set a standard to go by. The current policies does not address all issues such as when you get pay, when to leave, etc. He advised this is a reimbursement policy. Mr. Kimrey advised the fee for lunch was increased by one dollar (\$1.00).

Motion made by Mr. Ken Allen, seconded by Mr. Steve Blackmon, approving Resolution # 03-07-02 – Amendment of Resolution # 00-15-6 for Marlboro County’s Travel Reimbursement Policy.

PRELIMINARY DISCUSSION OF BUDGET AND FINANCIAL MATTERS

Mr. Cecil Kimrey, County Administrator advised Marlboro County needed a more in depth financial statement in which the revenues need to be addressed in more detail. He stated the revenue side is where the budget has been coming up short. He advised that at sixty three percent (63%) in expenditures using the audit figures, revenues will be less and he expects the deficit in June to be approximately eight hundred Thousand (\$800,000). He advised that when looking back from 2004 to 2006 the revenues increased by \$500,000+ while expenditures increased 1.1 million. The expenditure side must be addressed since it is very limited for what Marlboro County can do with the revenue side. Mr. Kimrey recommended putting a freeze on positions that become vacant until the situation can be analyzed to see if it is absolutely necessary for the position to be filled – the total percentage of salaries and fringe benefits need to be the first thing addressed. He advised Marlboro County will have to cut back on expenditures, cannot significantly increase revenue.

Council members discussed the process where millage can be increased to help with the deficit, however, it was noted it would have to be decrease the following year providing no real solution to the problem.

Mr. Kimrey advised the revenues are not going up, however, expenditures including Insurance rates and tort liability are increasing. He advised the Budget report is being revised to show Revenue and Expenditures by line items. Mr. Kimrey advised that by his preliminary estimate the County will be 1 Million in the year for the next budget year. He stated it may take two years to bring the budget back in line. He also advised County may possibly have to do a combination of CPI or increase of taxes.

ACCEPTANCE OF BIDS

ACCEPTANCE OF BIDS FOR DETENTION CENTER FINGER PRINTING MACHINE

Bids were received from Comnetix Inc (Carrollton, GA) - \$33,633.00, Data Works Plus (Greenville, SC) - \$33,017.54, and Printrak A Motorola Co (Anaheim, CA) - \$35,413.00. Staff recommended acceptance of the bid from Data Works Plus for \$33,017.54. Funds were placed in the CIP line item of the budget for the Finger Printing Machine.

Mr. Earl Hood, Warden for the Marlboro County Detention Center was present. He advised Council the finger printing machine had been needed for a long time. The machine will allow finger prints to go to SLED or FBI within a few minutes. He had spoken with other counties (Florence, Georgetown, and Lancaster) that had just had theirs installed and was told they were very pleased with Data Works Plus. Mr. Hood advised a printer and signature pad is still needed. When questioned how the printer and signature pad would be paid for, Mr. Hood advised there was enough in CIP to cover the finger printing machine and additional equipment. He requested Council to allow him to purchase the additional items. Council members were in agreement.

Motion made by Mr. Jeff Quick, seconded by Mr. Steve Blackmon to accept the bid from Data Works Plus in the amount of \$33,017.54 for the finger printing machine. Vote in favor. Unanimous. Motion carried.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Motion made by Mr. Jeff Quick, seconded by Mr. Ken Allen to appoint Ms. Jean Wallace McLean to the NESAB Board. Vote in favor. Unanimous. Motion carried.

Motion made by Mr. Anthony Woods, seconded by Mr. Ken Allen to appoint Mr. Ellis O'Tuel to the Economic Development Board. Vote in favor. Unanimous. Motion carried.

Motion made by Mr. Steve Blackmon, seconded by Mr. Ken Allen to appoint Mr. Jeff Dudley to the Historical Preservation Board. Vote in favor. Unanimous. Motion carried.

Motion made by Mr. Ken Allen, seconded by Mr. Steve Blackmon to appoint Mr. Anthony Woods to the CDC Board. Vote in favor. Unanimous. Motion carried.

REPORTS

COMMITTEE REPORTS

Mr. Jeff Quick, Recreation Committee – advised the nine and ten year old will play for the lower state basketball championship in Beaufort while the seventeen & under will play

for the lower championship in Georgetown. If both teams win, they will play for the state championship.

ADMINISTRATIVE/FINANCIAL REPORT – CECIL KIMREY, INTERIM COUNTY ADMINISTRATOR

Recreation Fence and Storage Buildings – Staff re-bid for the fence and storage buildings. A copy of the bids received have were placed at each Council members place.

Fence: Bids were received as follow: Custom Grill & Trailors – Blenheim (\$365.00) & Clio (N/A), Henley's Construction – Blenheim (\$250.00) & Clio (\$4950.00), and Jackson's Landscaping – Both Blenheim & Clio (\$8900.00). The lowest bidder was Henley's Construction for a total of \$5200.00. The Administrator awarded the bid to Henley's Construction for the low bid.

Storage Buildings: Bids were received as follow: Ascent Construction – Carroll (\$15,322.00) & Clio (\$17,222.00), Henley's Construction – Carroll (\$4650.00) & Clio (\$4200.00), Jackson's Landscaping – Both (\$5500.00), Bennettsville Lumber& Barn – Carroll (\$2480.00) & Clio (\$2120.00), and Woods Home Improvements – Carroll (\$4600.00) & Clio (\$4500.00). The lowest bidder was Bennettsville Lumber and Barn for a total of \$4600.00. The Administrator awarded the bid to Bennettsville Lumber and Barn for the low bid.

Handicap Ramp – the State Election Commission requested County hold off on awarding the bid for the handicap ramp at the Courthouse. They have agreed to pay for the ramp and advised they will let us know when to proceed.

Sheriff's Storage Building – a problem has arisen with the construction of the storage building at the Detention Center. County employees are not allowed to build it since they are not licensed contractors. Approximate cost of construction is \$17,000 of which Mr. Hood advised their budget could handle.

Council members questions why the building was being built on the outside of the fence. Dr. Prince recommended holding off on construction until the decision of where the new Sheriff's Building will be.

Council requested the Administrator get more information before making the decision. They also advised the Building Maintenance Supervisor or Council need to be consulted for placement of any future buildings on county property.

CTC Meeting – the Administrator questioned whether the 19th of March at 6 PM would be a suitable date and time for Council to meet. All Council members were in agreement.

Airport Grant – Council was advised an airport grant was not formally accepted by Council when received the previous year. The Administrator requested permission to accept the grant and return to necessary parties. Council members were agreeable.

Palmetto Pride Grant – a copy of the grant application for \$5000 was given to Council prior to the meeting. The Administrator requested permission from Council to send the application in. The grant is for a groundhog camera for the environmental control officers with match being required. Council members were in agreement.

D.D. McColl House – discovered termite problem at building. County does not have any contract on building, will have problem taken care of.

Domtar – took over Weyerhaeuser Plant formally on March 7th.

RECOGNITION OF CITIZEN'S REQUEST BEFORE COUNCIL

Mr. Levander Bostic addressed Council with concerns for his community. He stated he had lived in his area for eight years. One of his neighbors raises pit bulls, the dogs bark excessively at night for hours at a time and also during the day when they go outside. He has spoken with his neighbor numerous times, however, the problem has not been resolved. The neighbor put up a privacy which made the problem worse, the barking echoes. The neighbors dog pen is approximately ten yards from Mr. Bostic's house. Mr. Bostic advised he has been to the magistrate twice and Sheriff's Office twice, where they advised him the County did not have an ordinance for them to enforce. Deputies were called to his house one morning at 1:30 am and advised he would not wake the owner of the dogs up. Mr. Bostic advised he had for a State Statute on-line. Mr. Bostic asked Council for any consideration they can give.

Mr. Donnie McDonald, County Attorney asked if Mr. Bostic could get him a copy of the State Statute, if it exists, the County does not need an ordinance. Council advised Mr. Bostic, they would have Mr. Sidney Wallace, Public Works Director check into the issue for him and see if it can be resolved.

RECOGNITION OF COUNCIL MEMBERS

Dr. Carolyn Prince advised she had attended the Rural Summit in Charleston on the 5th of March. She stated the City of Bennettsville received the Palmetto award for their streetscape project. She advised the Governor was there, he is still pushing for education. She also advised the key note speaker was a gentlemen from Australia who runs a foundation dealing with a Community Development. He stated that rural communities need to stop waiting for new businesses and franchise, need to look at what assets we have, and encourage people to come. Another speaker recommended promoting more tourism. Retired people are looking for quality of life when relocating, rural communities need to promote what they have.

A thank you note from Mr. Butch Mills when his father passed away was shown to Council members.

Mr. Cecil Kimrey, County Administrator questioned whether Council wished to go ahead and designate whether they wanted to go with the fifteen or twenty year schedule for the General Obligation Bond or wait. Council advised they wanted to wait to decide.

Mr. Butch Mills, Economic Development Director asked Council to indulge him. He advised he was the underwriter for the State Bond program for approximately eight years. He stated he had to agree with Mr. Donnie McDonald, County Attorney in not dictating the terms of the bond yet. The cost of the bond is dictated by the market. He stated he would be glad to assist with the bond process.

EXECUTIVE SESSION

Motion made by Mr. Ken Allen, seconded by Dr. Carolyn Prince to go into executive session to discuss Personnel and Contractual matters. Vote in favor. Unanimous. Motion Carried.

Motion made by Mr. Steve Blackmon, seconded by Mr. Jeff Quick to reenter open session. Vote in favor. Unanimous. Motion Carried.

Ms. Jean Wallace McLean, Chair advised no decisions had been made, no votes had been taken.

ADJOURNMENT

There was no further discussion. The meeting was adjourned.

(SEAL)

JEAN WALLACE MCLEAN, CHAIR
MARLBORO COUNTY COUNCIL

ATTEST:

SUSAN E. RIVERS, CLERK
MARLBORO COUNTY COUNCIL

Date Adopted: April 12, 2007